

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.63193-M of 2006

DATE OF DECISION:01.12.2006

Lakhwinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Sherry Singla, Advocate
for the petitioner.

Shri N.S. Gill, AAG, Punjab.

Petitioner Lakhwinder Singh apprehending his arrest in a non-bailable offence in case FIR No. 153 dated 3.9.2006 under Sections 326/324/323/148/149/427/447 IPC, registered at Police Station Makhu District Ferozepur, has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that the petitioner was in possession of the land in dispute and even in civil suit filed by him against the complainant party, interim injunction was granted to him. Counsel further contends that actually in this case, the complainant party was aggressor. They wanted to forcibly dispossess the petitioner from the land in dispute and when they did not succeed, the instant false FIR has been got registered on the basis of statement of Harjeet Kaur wife of Sukhwinder Singh, in which grievous injury on the little finger of the complainant has been attributed to the petitioner. Counsel while referring to the MLR and

the other injuries suffered by the complainant, contends that the said injury is self inflicted.

Counsel for the petitioner further contends that in view of the order dated 17.10.2006, the petitioner has joined the investigation. Counsel for the respondent-State on instructions from Kashmir Singh Head Constable does not dispute this fact and further states that as per the investigation, the allegations levelled against the petitioner by the complainant were found to be false and cancellation report has been prepared.

In view of the above, the interim bail, granted vide order dated 17.10.2006 is made absolute subject to the same terms and conditions.

Disposed of accordingly.

December 01, 2006
pooja

(SATISH KUMAR MITTAL)
JUDGE